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March 28, 2005

HAND-DELIVERED

Blessing N. Chukwu
Executive Consultant III
Arizona Corporation Commission
1200 West Washington
Phoenix, AZ 85007-2927

Arizona Corporation Commission

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MAR 28 2005

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AZ CORP COMMISSION
DOCUMENT CONTROL

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RECEIVED

Re: Johnson Utilities Company -- Application for Extension of CC&N;
Docket No. WS-02987A-05-0088

Dear Ms. Chukwu:

I am in receipt of your March 10, 2005 letter in the above-captioned matter. As you know, this letter was not received by Johnson Utilities Company ("JUC") until Monday, March 21, 2005 due to a mailing error. In the future, feel free to e-mail or fax documents to Mr. Brian Tompsett at JUC at btompsett@qwest.net or FAX number (480-493-7408). Please copy me at jshapiro@fclaw.com or FAX number (602-916-5566). Meanwhile, JUC has responded to the majority of the items in your letter. In order of reference, each item in your letter is addressed as follows:

1. Please provide a copy of the Arizona Department of Water Resources (ADWR) Designation of Assured Water Supply, Certificate of Assured Water Supply or Letter of Adequate Water Supply for the CC&N area requested. If none of these are available, please provide a copy of the ADWR's Physical Availability Determination.

Response: Attached hereto as Exhibit A is a copy of JUC's Designation of Assured Water Supply, Decision and Order No. 26-400665 issued by the Arizona Department of Water Resources.

2. Please provide a listing or table of all the existing and future sources of water that the Company plans to utilize in serving the proposed extension area. In the listing or table, please include the ADWR's Well Identification number and a description of the water quality of the well. Please be sure to include the nitrate, arsenic, and fluoride concentration levels.

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Response: JUC is preparing a full water analysis and report on the existing and proposed wells within our system. The report will be delivered directly to ACC Staff engineers next Wednesday, March 30, 2005. A copy of the ADWR annual report will also be delivered to the ACC at that time.

3. **Please provide the Public Water system number for the system that will provide water to this development.**

Response: Johnson Utilities Water System (11-128) will be utilized to serve this development.

4. **Will any well, storage, or pumping facilities be installed to serve this development? If so, explain.**

Response: Exhibit 6 to JUC's application includes Master Utility Design reports for the extension area. These identify facilities to serve the development. In addition, JUC will file its Master Utility Agreement and Water Main Extension Agreement with the Commission once finalized with Standard Pacific of Arizona, Inc. These agreements will further address water utility facilities will be installed to serve this development.

5. **Please provide any other information which will allow the Commission to analyze and conclude that the company has sufficient water production capacity, or can develop enough drinking water capacity to service the existing and future demands from the proposed CC&N area.**

Response: JUC is preparing a full water analysis and report on the existing and proposed wells within our system. The report will be delivered directly to ACC Staff engineers next Wednesday, March 30, 2005. A copy of the ADWR annual report will also be delivered to the ACC at that time.

6. **Please provide information on the rates and charges the Company plans to charge the newly acquired customers in the proposed extension area for wastewater service.**

Response: JUC intends to provide both water and wastewater service subject to Applicant's current rates and charges for utility service.

7. **Please provide the estimated number of customers to be served in each of the first five years of the wastewater service.**

Response: The information in paragraph 14 of JUC's Application concerning the estimated number of customers to be served in each of the first five years applies to both water and wastewater utility service to the area covered by the Application.

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8. **Please provide a copy of the approved Central Arizona Association of Government (CAAG) Section 208 Plan which includes the proposed service extension area.**

Response: Attached is JUC's "CAAG 208 Water Quality Plan Amendment No 4", which includes the proposed development. The proposed development is addressed in the portion of the report labeled "Copper Basin".

9. **If the information is not contained in the §208 plans, please submit a master wastewater design report which clarifies how wastewater service will be provided to the proposed CC&N area.**

The report should identify the location of existing and future wastewater treatment plants and major wastewater interceptors. It should also provide the capacities of existing and future wastewater treatment plants, any existing service base in the proposed CC&N extension area, service connections at built out in the proposed CC&N extension area, estimated wastewater flow from a typical dwelling unit.

The report should also include the estimated wastewater total flows or contributions from future build out within the proposed CC&N extension area, the timing or construction of phasing of facilities and methods of effluent disposal.

Please include any other information which will allow the Commission to analyze and conclude that the company has sufficient wastewater treatment capacity, or can develop enough treatment capacity to service the existing and future demands from the proposed CC&N.

Response: The Master Wastewater Design Report is attached to the Application as Exhibit 6.

10. **Please provide a copy of the Arizona Department of Environmental Quality's Aquifer Protection Permit for the wastewater treatment plant that would service the extension area. If that permit has not yet been issued, please inform the Commission of the status of the application for that permit.**

Response: The Aquifer Protection permit for the proposed Copper Basin WWTP has not yet been issued. The APP request will be made by JUC in the Second Quarter of 2005. It will be provided to the Commission as soon as it is available.

11. **Please provide a copy of the Pinal County Franchise agreement that includes the proposed extension area.**

Response: Attached hereto as Exhibit B is JUC's Pinal County franchise, which includes the proposed extension area.

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12. **Please provide a copy of the Arizona Department of Environmental Quality's approval to construct the facilities to serve the proposed extension area.**

Response: Paragraph 20 of JUC's Application states that ADEQ Approvals to Construct will be provided as soon as they are received.

13. **Please provide a set of design plans for the proposed water and wastewater facilities. If final plans are not available, preliminary design plans should be provided.**

Response: Please refer to JUC's Application Exhibit 6, Master Water Design Report and Master Wastewater Design Report. Please also see response to item 4 above.

Again, JUC is happy to provide the information you requested. I would like to point out, however, that several of the items requested are not required by Arizona Administrative Code R14-2-402, which regulation sets forth the CC&N filing requirements. Moreover, in my experience several of the items you requested, such as the county franchise and approvals to construct, are in my experience, not required for sufficiency. Rather, these items can be addressed through discovery, and, in many cases remain conditions to be fulfilled in the Commission's final analysis.

In any event, with the submission of the enclosed materials, we feel JUC's application is sufficient and we ask that Staff promptly issue a sufficiency determination. We are informed that the developer is anxiously awaiting a decision by the Commission.

Very truly yours,

Mary Hougl
Jay L. Shapiro *Secretary to*

JSHA/clv

cc: Docket Control (w/o encl.)
Del Smith (w/o encl.)
Lyn Farmer (w/o encl.)
Brian Bozzo (w/o encl.)
Vicki Wallace (w/o encl.)
Brian Tompsett (w/encl.)

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